

Village of Cold Spring  
Village Board of Trustees  
85 Main Street, Cold Spring, NY 10516

Trustees Workshop  
7-29-2021

The Village of Cold Spring Board of Trustees held a meeting on Thursday, July 29, 2021 at 6:00 pm. Present were Mayor Dave Merandy and Trustees Marie Early, Kathleen E. Foley, Frances Murphy, and Tweeps Phillips Woods.

Mayor Merandy called the meeting to order at 6:00pm and made a motion to enter into Executive Session at 6:00pm to discuss the lease of real property. The motion was seconded by Trustee Murphy and passed unanimously.

At 6:40pm, Mayor Merandy made a motion to exit Executive Session. Trustee Foley seconded and the motion passed unanimously.

**Resolution 44-2021** (see attached) Adopting LL 01-2021 adding Ch. 100-Short Term Rentals was offered by Mayor Merandy for adoption and seconded by Trustee Murphy. Upon roll call vote, the resolution passed by a vote of 3-2-0-0 (Trustees Foley and Phillips Woods voting No).

Trustee Foley read into the record a written statement (see attached) on why she opposed the Local Law as drafted. Trustee Phillips Woods stated that she voted against the draft law because she believes there should have been collaboration with the impacted stakeholders in developing regulations.

**Resolution 45-2021** (see attached) Adopting LL 16-2021 amending Ch. 134-Zoning was offered by Mayor Merandy for adoption and seconded by Trustee Early. Upon roll call vote, the resolution passed by a vote of 3-2-0-0 (Trustees Foley and Phillips Woods voting No). Discussion followed and clarification given as to the purpose of the amendments (identifying the districts where STR's could operate). A second roll call vote was called for and the resolution passed by a vote of 5-0-0-0.

**Master Fee Schedule** – Trustee Early made a motion to adopt the Master Fee Schedule as presented. Trustee Foley seconded the motion and it passed by a vote of 5-0-0-0.

**Code Update Review** – The Board continued its review of Chapter 134 – Zoning. Key items discussed included:

- Definition of “Bed and Breakfast” should be amended to include the B-1 district and a special permit required to operate a Bed and Breakfast.
- In Section 134-17, the minimum requirement should be amended to incorporate those as identified in 134-15.
- Change “Single Family” to “One Family” throughout the chapter

Discussion followed on establishing a Category and Appropriation Codes for tracking revenue and expenses generated from parking (waivers, fees) and expenses. J. Vidakovich to work with M. Ascolillo to identify current expenses/revenues and how they are appropriated.

**Approval of Bills**

Trustee Early made a motion to approve Batch # 6112 in the amount of \$39,368.80. Trustee Foley seconded the motion and it passed by a vote of 5-0-0-0.

**Public Comment**

Irene Pieza, 6 Paulding Avenue inquired as to what happens with Short Term Rental laws during a pandemic. She referred to Beacon, which suspended STR regulations during the recent pandemic. She also stated that she believes current owners of properties used as STR's had the opportunity to form a committee independent of the Village when the issue first arose in 2019 but failed to do so.

**Adjournment**

Mayor Merandy made a motion to adjourn. Trustee Murphy seconded the motion and it passed by a vote of 5-0-0-0. Meeting adjourned at 8:05pm.

Submitted by: J. Vidakovich

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Mayor Merandy

Date

**Resolution # 44-2021 Adopting Local Law 01 of 2021 Adding Chapter 100 – Short Term Rentals**

The following resolution was offered by Mayor Merandy for adoption and seconded by trustee Murphy, to wit:

**WHEREAS**, the Village of Cold Spring Board of Trustees has caused to be prepared a draft of a local law adding to the Village Code Chapter 100 – Short Term Rentals; and

**WHEREAS**, the Village of Cold Spring Board of Trustees held duly noticed public hearings on the draft local law on May 6, 2021 and July 27, 2021; and

**WHEREAS**, the Village of Cold Spring Board of Trustees has complied with the requirements of the State Environmental Quality Review Act (“SEQRA”) as it applies to the adoption of the draft local law.

**NOW, THEREFORE, BE IT RESOLVED** that Local Law No. 1 of 2021 is hereby adopted and the Village Clerk is authorized and directed to take all of the actions necessary to complete the local law adoption procedure including filing said local law with the New York State Office of the Secretary of State

On roll call vote:

Trustee Marie Early voted:	Yes
Trustee Kathleen E. Foley voted:	No
Trustee Frances Murphy voted:	Yes
Trustee Tweeps Phillips Woods voted:	No
Mayor Dave Merandy voted:	Yes

Resolution officially adopted on July 29, 2021 by a vote of 3-2-0-0.

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Jeff Vidakovich, Village Clerk-Treasurer

Date

## FOLEY COMMENT ON STR VOTE (7/29/2021)

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Adding commercial uses in form of STR to residential properties is tricky: hosts can make money, but if there are too many STRs, neighborhoods lose cohesion, and long term leases become difficult to find.

We've read codes from all over the country. We've tried to extract the best of what we read, and adapt what we can to meet the needs of our Village specifically.

What is put forward now is a starting point. It's not perfect—new legislation rarely is. But it goes a long way toward regulating the operation of STRs in the Village. We'll learn from it as it is applied, collect data, and fine tune the law with later modifications.

The Village Board has been responsive to concerns about the impact of STRs in neighborhoods. The Board has been responsive to feedback given by current STR operators. I feel good about both.

And I want to state a few things for the record:

- I support tight limitations on unhosted STRs, including the total number of nights allowed to operate, a lottery selection of permits, and a limited on the number of nights they can be rented per year. These are the types of STRs that are the source of most complaints, and we must limit their proliferation.
- I support strict limitations on LLCs operating properties as STRs. We can't have our residential housing completely given over to full rental tourist accommodations as has happened in some tourist towns.
- I support inspections and permitting for One-Time Short Term Rentals. Renters will be safe and Cold Spring families can earn money on special event weekends or while on vacation. And I'm glad we modified the code to create two opportunities for families to get these permits.
- I am comfortable with a high fee structure for violations. Our expectations for good management of these businesses are very high, as are our expectations for the respectful behavior of guests.

- However, I believe our STR code needs to give more flexibility for hosted short term rentals. In hosted rentals, property owners are on-site during the rental and are directly accountable to their neighbors. They have a stake in protecting neighborhood character for themselves and well as for those around them. It behooves them to make sure that their guests are well behaved and respectful—they've got to face their neighbors every day.
- As is working successfully in Rhinebeck, I would like to see no limitation on the number of hosted STRs and no limit on the number of nights they could be rented.

Tourism isn't going away. Without sales tax sharing from the County, tourism generates no income for residents or for the village. We have costs related to tourism that we have to offset—infrastructure impacts, bathrooms, policing. And, given that STRs bring tourists, I would like to see a tourism impact fee imposed on all short-term rental permits to provide a new revenue stream for the Village. This would create an opportunity for residents and the village to participate in and benefit from the tourism economy.

So, while I believe this code is a step in the right direction and I support it in principle, I will be voting no on its current iteration.

## Resolution # 45-2021 Adopting Local Law 16 of 2021 Amending Chapter 134 – Zoning

The following resolution was offered by Mayor Merandy for adoption and seconded by Trustee Early, to wit:

**WHEREAS**, the Village of Cold Spring Board of Trustees has caused to be prepared a draft of the local law to amend Chapter 134 – Zoning; and

**WHEREAS**, the Village of Cold Spring Board of Trustees held duly noticed public hearings on the draft local law on May 6, 2021 and July 27, 2021; and

**WHEREAS**, the Village of Cold Spring Board of Trustees has complied with the requirements of the State Environmental Quality Review Act (“SEQRA”) as it applies to the adoption of the draft local law.

**NOW, THEREFORE, BE IT RESOLVED** that Local Law No. 16 of 2021 is hereby adopted and the Village Clerk is authorized and directed to take all of the actions necessary to complete the local law adoption procedure including filing said local law with the New York State Office of the Secretary of State.

On roll call vote:

Trustee Marie Early voted:	Yes
Trustee Kathleen E. Foley voted:	Yes
Trustee Frances Murphy voted:	Yes
Trustee Tweeps Phillips Woods voted:	Yes
Mayor Dave Merandy voted:	Yes

Resolution officially adopted on July 29, 2021 by a vote of 5-0-0-0.

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Jeff Vidakovich, Village Clerk-Treasurer

Date